

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of:)	
)	
The Main Street Project)	File No. BNPL-
20131114BCX)	
)	Facility ID 194943
)	
The Organizing Apprenticeship Project)	File No. BNPL-
20131114BOS)	
)	Facility ID 196795
)	
Pillsbury United Communities)	File No. BNPL-
20131114BRM)	
)	Facility ID 196844
for an Original LPFM Construction)	
Permit (Form 318))	
)	
_____)	

To the Mass Media Bureau

PETITION FOR RECONSIDERATION

Pursuant to 47 C.F.R. § 1.106, the Main Street Project, Organizing Apprenticeship Project, and Pillsbury United Communities (collectively, “the Minnesota applicants”) file this Petition for Reconsideration regarding the FCC’s dismissal of their respective applications for Construction Permit for a Low Power FM Broadcast Station in the community of Minneapolis, Minnesota. The Minnesota applicants respectfully request that the FCC reinstate their Low Power FM applications because the dismissal was based on the erroneous belief that the applications interfered with a nonexistent radio reading service.

On December 20, 2013, the Commission's Media Bureau dismissed the Minnesota applicants' applications on the basis that their proposed transmitter sites failed to meet the minimum spacing requirements with a radio reading service.¹ However, the radio reading service to which the Commission refers does not exist. We therefore respectfully request that the Commission summarily reinstate the above-referenced applications.

FCC regulations stipulate:

LPFM stations must satisfy the second-adjacent channel minimum distance separation requirements of paragraph (a)(1) of this section with respect to any third-adjacent channel FM station that, as of September 20, 2000, broadcasts a radio reading service via a subcarrier frequency.

47 C.F.R. § 73.807(a)(2).

The Commission dismissed the Minnesota applicants' applications for failing to meet the minimum spacing requirements of 47 C.F.R. § 73.807(a)(2). Specifically, the Commission asserts that the applications' proposed transmitter sites fail to meet spacing requirements with a radio reading service broadcast on a subcarrier frequency by KSJN(FM) on Channel 258C in Minneapolis, Minnesota.²

Neither KSJN nor its facility ID are indicated in the list of radio reading service stations in Appendix D of RM-9208, the September 20, 2000 Memorandum Opinion and Order on Reconsideration of Docket MM 99-25; which is the list generally used by

¹

Letter from James Bradshaw, Deputy Chief, Audio Division to The Main Street Project (December 20, 2013). See Exhibit 1.

Letter from James Bradshaw, Deputy Chief, Audio Division to The Organizing Apprenticeship Project (December 20, 2013). See Exhibit 1.

Letter from James Bradshaw, Deputy Chief, Audio Division to Pillsbury United Communities (December 20, 2013). See Exhibit 1.

²

Ibid.

application engineers and informally recommended by the FCC. Furthermore, no such radio reading service exists. Attached at Exhibit 2 is an email from Michael Hendrickson, the Chief Engineer for American Public Media Group. American Public Media Group operates Minnesota Public Radio, the license holder for KSJN.³ Mr. Hendrickson states unequivocally that KSJN does not operate a radio reading service.

The Minnesota applicants comply with all the provisions of 47 C.F.R. Part 73, Subpart G that govern the LPFM service. In particular, their applications do in fact meet the minimum spacing requirements of 47 C.F.R. § 73.807(a)(2). The Commission's impression to the contrary is based upon incorrect information.

The dismissals of the LPFM applications do significant public interest harm by erroneously excluding qualified applicant groups, thereby impairing the objectives and implementation of the Communications Act and Local Community Radio Act of 2010. Therefore, we respectfully request that the Commission summarily reinstate the applications.

Respectfully submitted,

/s/

Kat Vann
Main Street Project

/s/

Vina Kay
The Organizing Apprenticeship Project

/s/

Francisco Segovia

Pillsbury United Communities

January 17, 2014

Exhibit 1

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

DEC 20 2013

ENGINEER: James Bradshaw
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: james.bradshaw@fcc.gov

Pillsbury United Communities
125 West Broadway Avenue #130
Minneapolis, MN 55104

Re: NEW-LP, Minneapolis, MN
Facility ID No. 196844
Pillsbury United Communities
File No. BNPL-20131114BRM

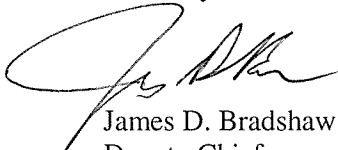
Dear Applicant:

The staff has under consideration the above-captioned application for a new low power FM station.

An engineering study has revealed that the proposed transmitter site specified in the application fails to meet the minimum spacing requirements of 47 C.F.R. § 73.807(a)(2). Specifically, the site proposed is located 15.6 kilometers from the licensed facility of third-adjacent channel station KSJN(FM), (BLH-19910814KH) on Channel 258C in Minneapolis, MN. We note that KSJN broadcasts a radio reading service via a subcarrier frequency. The required spacing pursuant to § 73.807 is 93 kilometers. The application fails to address this defect.

Accordingly, in light of the above, application BNPL-20131114BRM is unacceptable for filing and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283 and 73.870(c).¹

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Paul Bame

¹ “[A]pplications...that fail to meet the 73.807 minimum distance separations...will be dismissed without any opportunity to amend such applications.” 47 C.F.R. § 73.870(c).

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DEC 20 2013

ENGINEER: James Bradshaw
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: james.bradshaw@fcc.gov

The Main Street Project
P.O. Box 80066
Minneapolis, MN 55408

Re: NEW-LP, Minneapolis, MN
Facility ID No. 194943
The Main Street Project
File No. BNPL-20131114BCX

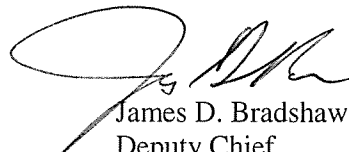
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Accordingly, in light of the above, application BNPL-20131114BCX is unacceptable for filing and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283 and 73.870(c).¹

Sincerely,


James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

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DEC 20 2013

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FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: james.bradshaw@fcc.gov

The Organizing Apprenticeship Project
2525 East Franklin Ave., Suite 301
Minneapolis, MN 55406

Re: NEW-LP, Minneapolis, MN
Facility ID No. 196795
The Organizing Apprenticeship Project
File No. BNPL-20131114BOS

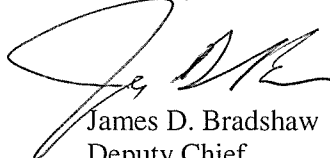
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Accordingly, in light of the above, application BNPL-20131114BOS is unacceptable for filing and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283 and 73.870(c).¹

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Paul Bame

¹ “[A]pplications...that fail to meet the 73.807 minimum distance separations...will be dismissed without any opportunity to amend such applications.” 47 C.F.R. § 73.870(c).

Exhibit 2



Sanjay Jolly <sjolly@prometheusradio.org>

RE: Minnesota Public Radio radio reading service

Hendrickson, Michael <mhendrickson@americanpublicmedia.org>

Mon, Jan 13, 2014 at 10:25 AM

To: Sanjay Jolly <sjolly@prometheusradio.org>

Cc: "Gramling, Mitzi" <mgramling@americanpublicmedia.org>, "Nelson, Tom" <tnelson@mpr.org>, "Hal Schardin (hschardi@ngwmail.des.state.mn.us)" <hschardi@ngwmail.des.state.mn.us>

Hello Mr. Jolly,

KSJN, 99.5, does not operate a radio reading service. KNOW, 91.1, does operate a radio reading service for the state of Minnesota.

Minnesota Public Radio does have radio reading services on a number of our facilities in Minnesota. There are also several commercial broadcasters and other public radio broadcasters that also broadcast the radio reading services. I have included Hal Schardin of Minnesota State Services for the Blind in this email. He is better able to tell you exactly what radio stations in Minnesota carry the service.

MPR's stations that broadcast the reading services include, but are not limited to:

KNSR, Collegeville

KCCD, Moorhead

KNGA, St. Peter

KNSW, Worthington

KNBJ, Bemidji

WSCN, Duluth

WIRN, Buhl

KLSE, Rochester

KNOW, Minneapolis

KBPN, Brainerd

KNTN, Thief River Falls

KRXW, Roseau

KNCM, Appleton

WINH, Hinckley (to be added during Jan. 2014)

The above list may not be entirely accurate or complete. Again Hal Schardin will have a more complete list.

Mike

Mike Hendrickson

Chief Engineer

American Public Media Group

Office: 651-290-1328

From: sanjolly@gmail.com [mailto:sanjolly@gmail.com] **On Behalf Of** Sanjay Jolly

Sent: Friday, January 10, 2014 3:30 PM

To: Hendrickson, Michael

Cc: Ian Smith

Subject: Minnesota Public Radio radio reading service

Dear Mr. Hendrickson,

I am trying to ascertain whether KSJN 99.5 FM (Channel 258) operates a radio reading service via a subcarrier frequency in Minneapolis, MN. I understand that KNOW 91.1 FM (Channel 216) does operate a radio reading service in Minneapolis. Is KNOW the only radio reading service broadcast by Minnesota Public Radio?

Any information is greatly appreciated.

Sincerely,

Sanjay Jolly

—

Sanjay Jolly

Prometheus Radio Project



Sanjay Jolly <sjolly@prometheusradio.org>

RE: Minnesota Public Radio radio reading service

Hendrickson, Michael <mhendrickson@americanpublicmedia.org>

Mon, Jan 13, 2014 at 3:01 PM

To: "Hendrickson, Michael" <mhendrickson@americanpublicmedia.org>, Sanjay Jolly <sjolly@prometheusradio.org>

Cc: "Hal Schardin (hschardi@ngwmail.des.state.mn.us)" <hschardi@ngwmail.des.state.mn.us>

Hello Mr. Jolly,

I've updated and corrected the below list for your use.

Mike Hendrickson

Mike Hendrickson

Chief Engineer

American Public Media Group

Office: 651-290-1328

From: Hendrickson, Michael

Sent: Monday, January 13, 2014 9:25 AM

To: 'Sanjay Jolly'

Cc: Gramling, Mitzi; Nelson, Tom; Hal Schardin (hschardi@ngwmail.des.state.mn.us)

Subject: RE: Minnesota Public Radio radio reading service

Hello Mr. Jolly,

KSJN, 99.5, does not operate a radio reading service. KNOW, 91.1, does operate a radio reading service for the state of Minnesota.

Minnesota Public Radio does have radio reading services on a number of our facilities in Minnesota. There are also several commercial broadcasters and other public radio broadcasters that also broadcast the radio reading services. I have included Hal Schardin of Minnesota State Services for the Blind in this email. He is better able to tell you exactly what radio stations in Minnesota carry the service.

MPR's stations that broadcast the reading services include, but are not limited to:

KITF, International Falls

WLSN, Grand Marais

KNSE, Austin

WIRC, Ely

KNSR, Collegeville

KCCD, Moorhead

KNGA, St. Peter

KNSW, Worthington

KNBJ, Bemidji

WSCN, Duluth

WIRN, Buhl

KZSE, Rochester

KNOW, Minneapolis

KBPR, Brainerd

KNTN, Thief River Falls

KRXW, Roseau

KNCM, Appleton

WINH, Hinckley (to be added during Jan. 2014)

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Mike Hendrickson

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Subject: Minnesota Public Radio radio reading service

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Prometheus Radio Project